

MAR. 7. 2003 2:19PM

HOLLAND &amp; KNIGHT

NO. 3176 P. 31

**Cooley Godward LLP**

November 15, 2001

DR. JAY KRANZLER  
 CYPRESS BIOSCIENCE INC.  
 4350 EXECUTIVE SQUARE DRIVE  
 SUITE 325  
 SAN DIEGO CA 92121

RECEIVED

NOV 19 2001

FINANCE DEPT

## ATTORNEYS AT LAW

One Maritime Plaza  
 20th Floor  
 San Francisco, CA  
 94111-3580  
 MAIN 415 693-2000  
 FAX 415 951-9699

www.cooley.com  
 Taxpayer ID Number  
 94-1140085

Broomfield, CO  
 720 586-4000  
 Denver, CO  
 303 606-4800  
 Kirkland, WA  
 425 893-7700  
 Menlo Park, CA  
 650 843-5000  
 Palo Alto, CA  
 650 843-5000  
 Reston, VA  
 703 262-8000  
 San Diego, CA  
 619 550-6000

Bill Number

20011102425 10330 12210

093330- 2108

Re: FIBROMYALGIA

Docket number . . . . . : CYPR  
 : CORR

**EXHIBIT****D**

For services rendered through 10/31/2001:

6202035	10/01/01	AKR	CONTINUE DRAFTING OUTLINE OF PATENT APPLICATION; COMPLETE REVIEW OF REFERENCES RECEIVED FROM CLIENT	4.50
	10/02/01	AMP	REVIEW DRAFT CLAIMS WITH A. ROCHE.	.50
	10/02/01	AKR	RECEIVE AND REVIEW PATENT APPLICATION ON SUSTAINED RELEASE FORMULATION; INCORPORATE CHANGES SUGGESTED BY A. PEASE INTO OUTLINE OF PATENT APPLICATION	1.20
	10/10/01	AKR	PERFORM SEARCHES TO DETERMINE EXISTENCE OF ANY THIRD PARTY RIGHTS	1.00
	10/16/01	AMP	DISCUSSION OF APPLICATION OUTLINE AND DRAFT CLAIMS WITH J. BONFIGLIO AND S. RAO.	.50
	10/19/01	MCJ	DISCUSS WITH A. PEASE ASSESSMENT OF STRENGTH OF MILNACIPRAN FORMULATION PATENT APPLICATION; DISCUSS WITH A. ROCHE RESULTS OF SEARCHES	.60
	10/19/01	AKR	ANALYSIS OF PCT APPLICATION FOR THE SUSTAINED RELEASE FORM OF MILNACIPRAN	2.50
	10/22/01	AMP	REVIEW OF SUSTAINED-RELEASE FORMULATION APPLICATION; REVIEW OF SUMMARY DOCUMENT FROM PROSECUTING ATTORNEY; CONFERRED WITH M. JELLINS AND A. ROCHE REGARDING SCOPE OF	4.00

**Cooley Godward LLP**

## ATTORNEYS AT LAW

One Maritime Plaza  
20th Floor  
San Francisco, CA  
94111-3580  
MAIN 415 693-2000  
FAX 415 951-3699

www.cooley.com  
Taxpayer ID Number  
94-1140085

Broomfield, CO  
720 566-4000  
Denver, CO  
303 606-4800  
Kirkland, WA  
425 893-7700  
Menlo Park, CA  
650 843-5000  
Palo Alto, CA  
650 843-5000  
Reston, VA  
703 262-8000  
San Diego, CA  
858 550-6000

Page 2

## FIBROMYALGIA

093330- 2108 200111-02425 10330

		CLAIMS AND POSSIBLE NEW CLAIMS THAT APPLICATION WOULD SUPPORT IN PREPARATION FOR STRATEGY TELECON WITH CLIENT.	
10/22/01	MCJ	REVIEW FORMATION APPLICATION	3.80
10/22/01	AKR	CONFER WITH M. JELLINS AND A. PEASE REGARDING THE SUSTAINED RELEASE MILNACIPRAN PCT APPLICATION; PERFORM SEARCH TO FIND ANY POTENTIAL PRIOR ART; REVIEW OF PRIOR ART CITED IN SEARCH REPORT OF PCT APPLICATION	4.50
10/23/01	AMP	PARTICIPATION IN STRATEGY TELECON WITH CLIENT. M. JELLINS, A. ROCHE AND PATRICK SAGE REGARDING CONTINUING PROSECUTION OF SUSTAINED-RELEASE FORMULATION APPLICATION.	1.00
10/23/01	MCJ	CONFERENCE CALL WITH A. PEASE, A. ROCHE AND CLIENT RE FORMULATION APPLICATION	1.00
10/23/01	AKR	CONFERENCE CALL WITH CYPRESS REGARDING US PROSECUTION OF THE SUSTAINED RELEASE MILNACIPRAN APPLICATION	.50
10/24/01	AMP	RECEIVE AND REVIEW ARTICLE FROM S. RAO; CONFER WITH A. ROCHE TO IDENTIFY ISSUES RELATED TO SAME; PREPARE E-MAIL TO A. ROCHE AND M. JELLINS SUMMARIZING ISSUES AND FOLLOW-UP ACTION ITEMS RELATING TO SAME.	1.00
10/24/01	AKR	REVIEW OF NEW REFERENCE RECEIVED FROM CLIENT AND PERFORM SEARCH REGARDING THE NEW REFERENCE	2.25
10/25/01	AMP	ADVISED CLIENT ON ISSUES	.25

**Cooley Godward LLP**

## ATTORNEYS AT LAW

One Maritime Plaza  
20th Floor  
San Francisco, CA  
94111-3560  
MAIN 415 693-2000  
FAX 415 951-3699

www.cooley.com  
Taxpayer ID Number  
94-1140065

Broomfield, CO  
720 566-4000  
Denver, CO  
303 606-4800  
Kirkland, WA  
425 893-7700  
Menlo Park, CA  
650 843-5000  
Palo Alto, CA  
650 843-5000  
Reston, VA  
703 262-8000  
San Diego, CA  
619 550-6000

Page 3

## FIBROMYALGIA

093330- 2108 200111-02425 10330

10/25/01	TMD	RELATED TO ARTICLE. RESEARCH(FOR A. ROCHE, PERFORM LITERATURE SEARCHES IN DIALOG DATABASES FOR AUTHORS NAGAOKA AND ONO, RE: MILNACIPRAN)	2.00
10/29/01	AMP	REVIEW AND REVISE DRAFT APPLICATION: DISCUSSION OF STRATEGY RELATED THERETO WITH A. ROCHE AND M. JELLINS	2.00
10/30/01	MCJ	REVIEW APPLICATION AND DISCUSS WITH A. PEASE AND A. ROCHE	1.50
10/31/01	MCJ	REVIEW REVISED APPLICATION AND OPINION OF TECHNOLOGY CATALYSTS INC.	.70
10/31/01	AMP	REVIEW OF REVISED DRAFT APPLICATION RECEIVED FROM CLIENT; DISCUSSION OF SAME WITH A. ROCHE; PARTICIPATION IN STRATEGY TELECON WITH CLIENT.	2.50

TOTAL FEES: \$10,634.00

## Attorney Summary:

<u>Attorney/Paralegal</u>	<u>Rate</u>	<u>Hours</u>	<u>Fee</u>
MCJ JELLINS, MADISON C.	360	7.60	2,736.00
TMD DIPPERY, TERESA M.	95	2.00	190.00
AKR ROCHE, ANIE K.	215	16.45	3,536.75
AMP PEASE, ANN M.	355	11.75	4,171.25

For costs and disbursements recorded through 10/31/2001:

FAX	44.00
RESEARCH DATABASES / DOCUMENT RETRIEVAL	93.38
INFORMATION DELIVERY SYSTEMS	
RESEARCH DATABASES / DOCUMENT RETRIEVAL	40.75
INFORMATION DELIVERY SYSTEMS	